

Express Mail No.: EL 501 639 442 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friend et al.

Application No.: To be assigned; Division of
Serial No. 09/303,082, filed
April 30, 1999

Group Art Unit: To be assigned

Filed: On even date herewith

Examiner: To be assigned

For: METHODS OF DETERMINING
PROTEIN ACTIVITY LEVELS USING
GENE EXPRESSION PROFILES

Attorney Docket No.: 9301-161

#3/A
Plunkett
12/14/01

PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.115

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.115, please enter the following amendments and remarks in connection with the above-identified application. Applicants submit concurrently herewith:

1) Exhibit A: marked version of the amended claims; 2) Exhibit B: clean version of the pending claims, as amended; 3) Amendment Fee Transmittal (in duplicate), accompanied by the appropriate fee; and 4) Information Disclosure Statement, including revised Form PTO-1449: "List of References Cited by Applicant" and copies of references AA-EW, accompanied by the appropriate fee.

IN THE CLAIMS:

A marked up version of the claims showing the amendments is attached hereto as Exhibit A. Matter that has been deleted from claims 54, 57-58 and 68 is indicated by brackets and matter that has been added is indicated by underlining. A clean version of the pending claims, as amended, is attached hereto as Exhibit B.

Please amend the claims as follows:

Please amend claims 54, 57-58 and 68 to read as follows:

54. (Amended) The computer system of claim 53 wherein determining the level of perturbation is achieved by a method comprising:

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